UNITED
NATIONS

S

Security Council

Distr.
GENERAL

S/1998/207
8 March 1998
ENGLISH
ORIGINAL: ARABIC

LETTER DATED 7 MARCH 1998 FROM THE PERMANENT REPRESENTATIVE OF IRAQ TO THE UNITED NATIONS ADDRESSED TO THE SECRETARY-GENERAL

On instructions from my Government, I have the honour to transmit to you herewith a letter dated 6 March 1998 from Mr. Mohammed Said Al-Sahaf, Minister for Foreign Affairs of the Republic of Iraq, giving details of the manner in which some officials and members of the Special Commission have contravened the legal and professional rules governing their conduct by making statements and publicizing highly selective materials from United Nations official archives, with a view to making serious allegations about the Government of Iraq. Mr. Al-Sahaf therefore calls upon you to take the appropriate steps to deal with these contraventions.

I should be grateful if you would have the present letter and its annex circulated as a document of the Security Council.

(Signed) Nizar HAMDOON
Ambassador
Permanent Representative

Annex

Letter dated 6 March 1998 from the Minister for Foreign Affairs of Iraq addressed to the Secretary-General

I should like to refer to the provisions laid down by the letters exchanged between the Government of the Republic of Iraq and the Secretary-General of the United Nations on 17 March 1991 governing the privileges, immunities and facilities to be accorded to the Executive Chairman, officials and experts of the Special Commission.

I should also like to refer to the fact that we have, on many occasions in the past, reported to both the previous and the current Executive Chairman and at official meetings the manner in which some officers and members of the Special Commission have contravened the legal and professional rules governing their conduct. They have behaved in a manner inconsistent with their official duties by making public information that they had obtained while carrying out those duties, and by using such information in a selective manner in order to promote their personal views by revealing it to the press or at conferences. Despite the promises that have been made to us, we have yet to see any disciplinary measures being taken against those who have behaved in this manner, or any steps being taken to halt conclusively such contraventions and to call the perpetrators to account, in accordance with the rules governing such cases in force at the United Nations.

This situation has persisted, and recently became serious when the United States Cable News Network (CNN) programme Impact broadcast "High Noon in Baghdad - the Inspectors' Story". This was shown nationally on 1 March 1998 and internationally on the following day. Using a previously prepared scenario, those featured in it were United Nations Special Commission officials, and, most prominently, the Deputy Executive Chairman, Charles Duelfer, together with Nikita Smidovich, a senior Commission official, and the inspector Scott Ritter. Other Commission members involved in carrying out inspections in Iraq also took part in the programme.

It was clear that those who participated in the programme were attempting to prove allegations of "concealment" made against my Government, with a view to claiming that Iraq still has stores of weapons of mass destruction and the materials and means to produce them. The participants did not hesitate to discuss the details of the work currently being undertaken in this regard by Iraq and the Special Commission, which is highly sensitive. Groundless allegations were made about Iraq which are shown to be unsubstantiated by the work of the Iraqi side. Official Special Commission archive materials, such as video film, documents and aerial photographs taken by U2 aircraft, are being used to substantiate these allegations. This material is the property of the United Nations and is confidential, since it relates to a Member State. It should not be used without authorization for purposes of propaganda.

This behaviour raises a number of important and basic questions with regard to the rules governing the work of the international Organization. These may be summarized as follows:

Was the use of any United Nations archival material in the programme authorized?

Was such use supervised, and if so, by whom?

Members of the Special Commission are bound by the Staff Rules of the United Nations, since they are working on behalf of that Organization. Are they allowed to take part in such programmes, and to reveal information relating to the work of the Iraqi side in order to spread propaganda and make serious allegations about the Government of Iraq?

Are those officials permitted to behave in a manner which contravenes the legal agreements with the United Nations to which Iraq is bound, and which govern their legal position?

Are members of the Special Commission exempt from the provisions of the Staff Rules governing the work and deportment of United Nations employees?

The Government of Iraq requests you to take a stand with regard to this matter, in accordance with the rules applicable in the international Organization, and to deny any connection between the United Nations and this programme. We further request you to take the appropriate measures with respect to the United Nations employees who participated in the programme, together with measures to ensure that there will be no repetition of such contraventions and that Special Commission data are not used for purposes that are unrelated to the work of the United Nations.

(Signed) Mohammed Said AL-SAHAF
Minister for Foreign Affairs
of the Republic of Iraq